

Notice of Allowability

Applicati n N .

09/940,580

Examiner

Jacques Veillard

Applicant(s)

HANKIN ET AL.

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/5/2004.
2. ☒ The allowed claim(s) is/are 1-7,12,14-24,30,34-38,43 and 44.
3. ☒ The drawings filed on 8/29/01 & 12/3/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

C. Rones
CHARLES RONES
PRIMARY EXAMINER

DETAILED ACTION

1. This action is responsive to the applicant's amendment filed on 8/5/2004.
2. Claims 8-11, 13, 25-29, 31-33 and 39-42 have been canceled.
3. Claims 1-7, 12, 14-24, 30, 34-38, 43 and 44 are pending and are presented for examination.

Drawings

4. The drawings filed on 8/29/2001 and 12/3/2001 are approved. They have been placed in the application file and the drawings referred to therein have been approved as to the merits.

Allowable Subject Matter

5. Claims 1-7, 12, 14-24, 30, 34-38, 43 and 44 are allowed over the prior art of record.
6. The following is an examiner's statement of reasons for allowance: Applicant particularly discloses a system and method embodied in a computer program product for managing persistent objects correlating to an application. The step of caching the persistent object within a cache managed by the persistent object framework, creating a new persistent object according to a data model stored by the persistent object framework, the creating comprising caching the new persistent object in the persistent object cache and inserting the new persistent object in the data source after a save transaction has been committed or a flush method has been invoked as embodied in the independent claims 1, 12, 35 and 36, in context with the other limitations of the claims was not described by, would not have obvious over, nor would have been fairly suggested by the prior art of record.

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The dependent claims, being further limiting to the independent claims definite and enabled by the specification are also allowed.

Regarding the independent claims 22, 37, and 38, Applicant particularly discloses a method and system embodied in a computer program product for searching persistent objects stored at least one data source, wherein an application accesses the persistent objects for data comprising: determining a query type for the search query, wherein the query type is selected from the group of query types consisting of a primary key, a handle, a unique key, a query filter, and a relationship between persistent objects, in context with the other limitations of the claims was not described by, would not have obvious over, nor would have been fairly suggested by the prior art of record.

The dependent claims, being further limiting to the independent claims definite and enabled by the specification are also allowed.

Regarding the independent claims 34, 43, and 44, Applicant particularly discloses a system and method embodied in a computer program product for managing persistent objects, wherein the persistent objects are stored within a first data source and a second data source and the persistent objects provide data to an application comprising: implementing a persistent object framework that caches the persistent objects correlating to the application by ... deferring writes to the first and second data sources; and controlling persistent storage of the persistent objects; and retrieving the data from the first and second data sources when requested by the persistent object framework, in context with the other limitations of the claims was not described by, would not have obvious over, nor would have been fairly suggested by the prior art of record.

The closest prior art Baer et al. (U. S. Pat. No. 6,035,303) and Hill et al. (U. S. Pat. No. 6,453,321) both disclose a system and method for storing persistent objects in a data structure type environment. However, both taken singularly or in combination did not implicitly disclose or suggest the applicant's limitations as recited in the independent claims 1, 12, 22, 34-38, 43 and 44 above. The closest prior art fail to anticipate or render the limitations of claims 1, 12, 22, 34-38, 43 and 44 above obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 Am to 4:30 PM, alt. Fri. off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272- 4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Rones
CHARLES RONES
PRIMARY EXAMINER

J.V.

Jacques Veillard
Patent examiner TC 2100

January 12, 2005